

Appl. No. 10/718,161
Reply Filed: April 11, 2006
Reply to Office Action of: January 11, 2006

REMARKS

In response to the Office Action of January 11, 2006, the Applicant submits this Reply. In view of the foregoing amendments and following remarks, reconsideration is requested.

Amendments to the Specification and Drawing

The foregoing amendment to the specification indicates that the '066 application has matured into U.S. Patent 6,686,918.

Furthermore, the '918 patent claimed priority (at least through its inventors' declaration) to a prior provisional application serial number 60/054,590. Therefore, the reference to the '590 application in this paragraph is correct; this application should not refer to the 60/054,589 application to which U.S. Patent 6,011,562 claims priority. This application as filed included a copy of the original declaration with this claim to priority.

The foregoing amendment also clarifies that the claim of priority to the '590 provisional application should have been made under 35 U.S.C. §119, and not 120.

Non-Statutory Double Patenting Rejection

The only rejection is a non-statutory double patenting rejection based on U.S. Patent 6,686,918. For expediency, the Applicant submits herewith a Terminal Disclaimer to obviate any nonstatutory double patenting rejection between this application and the issued patent to which this application claims priority. By submitting this Terminal Disclaimer, Applicant does not admit to the propriety of any nonstatutory double patenting rejection. *Quad Environmental Technologies Corp. v. Union Sanitary District* 946 F.2d 870, 20 USPQ2d 1392 (Fed.Cir. 1991).

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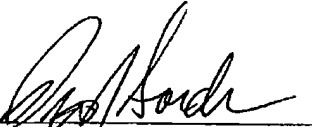
CONCLUSION

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this reply, that the application is not in condition for allowance, the Examiner is requested to call the Applicants' attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, please charge any fee to **Deposit Account No. 50-0876**.

Respectfully submitted,

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